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PER CENT CLAUSE WOULD BIND GROWER HAND AND FOOT

**In Communication, Executive Committee of
Burley Tobacco Society Shows How Such
A Provision Would Work Destruction
Of The Movement---Opinion Of
Lawyers Given in Letter.**

In a communication to members the Executive Committee of the Burley Tobacco Society explains why no per cent. clause was inserted in the contract for the 1910 pool, add why such a clause could not be embodied. Accompanying this communication is a letter from Col. Jno. R. Allen, written March 5, in which is stated the opinion of the attorneys for the Society. The letters follow:

Dear Sir:—

Some persons who desire the ruin and destruction of the Burley Tobacco Society and who would in accomplishing their purpose deliver the Tobacco growers bound hand and foot into the power of the Tobacco Trust, are through newspapers and on the stump demanding that a 75% clause be inserted in the pledge.

Since there may be honest men who honestly believe that such a clause should be in the pledge, we take this means of telling you why those who have your interests at heart and whom you have chosen to protect your property did not and could not insert in the 1910 pledge a 75% clause.

The first pledge contained a per cent. clause, and we learned by experience that there is danger in such a clause.

When we took legal steps against men who broke their pledges some lawyers who could make the worse cause appear the better would take the ground that we did not have the required per cent. In a community where officers of the law and public sentiment were in the favor of pooling the verdict would be for the Society. In communities where the officers of the law and public sentiment were against pooling, the verdict would be for the man who broke his pledge. In this way the loss of the pooled tobacco worked hardship to the honest members. Seeing the difficulty that it made, our lawyers advised us not to put a per cent clause in subsequent contracts.

We include in this circular a letter from Col. Jno. R. Allen giving his opinion on this subject. The General Assembly has passed all the laws necessary to protect our Society if we use common sense and the light of experience. But to put a per cent clause in the 1910 pledge would open a gap through which contract breakers could escape.

A per cent clause in the contract would only make a mark for the Trust to shoot at. If we inserted a 75% clause the Trust would have only to buy 26% and thus make any pool impossible. Having bought the smallest fraction over one-fourth of the crop at good prices the Trust would be able to control the remainder of the crop for anything it was pleased to pay.

The way to get 75% pledged is to go after it and not to waste time and energy in a wrangle about a technicality that would seriously weaken the pool. The only reason that we have not 75% or 85% in the 1909 pool is that selfish or short-sighted men claiming to be the growers' friends made war on us during the last

pooling season and confused and misled the people. Don't be misled this time.

Extending the time of declaring the pool to November 1st, gives two boards the opportunity to pass on it. The old board has the right to declare the pool off prior to October 1st, if in their judgment they deem it best. The new board, elected about October 1st and representing the will of those who have just elected them, will have the right to declare the pool off on or before November 1st.

Recently we mailed you a four-page sheet containing a full discussion of the matters of difference between the Society and those who seek our ruin. We earnestly hope that you will take time to read all that is in those four pages and also the contents of a second sheet which we shall send you in a few days. It is the farmers' fault to work too much and to read and think too little. It is just as necessary to maintain an organization to sell your tobacco at a good price as it is to grow it.

Sincerely yours,

EXECUTIVE COMMITTEE BURLEY
TOBACCO SOCIETY.

LETTER FROM COL. JOHN R. ALLEN.
Lexington, Ky., Mch. 5, 1910.
Executive Board of Burley Tobacco Society,
City.

Gentlemen:—

Mr. Pendleton and myself have gone over the draft of the pledge for the year 1910, and return the same with certain amendments and changes which we suggested and which are noted thereon.

We have heretofore advised the Board very strongly not to embody in the pledge for 1910 any guaranty of the percentage of tobacco to be pooled or any number of acres to be pooled before the pool becomes effective, and we are glad to know after talking with the Board that the majority of the Board agree with us in this opinion.

Our experience with litigation growing out of suits against dumpers is that a guaranty of a certain percentage of the acreage or a guaranty of a percentage of the amount of tobacco to be pooled before the pool becomes effective was a great detriment to us under the 1906 pledge and put us at a great disadvantage, because in every instance the parties plead that we did not have the percentage pooled as we claimed, and it would necessitate, if the same clause were contained in the 1910 pledge, a great deal of trouble and expense and investigation in order to prove that we had the necessary percentage pooled.

Yours very truly,
(Signed) JOHN R. ALLEN,
Attorney.

Mrs. Newly Wed—Oh! Tom, dear, I made this cake all myself. Newly Wed—Cut it out. You're too light for such heavy work.

Kitty—How do you manage to keep your complexion so fresh?

Peggy—I go to the baseball games and sit on the bleachers.

Bethel Bank Must Have Fifty Per Cent of Capital Paid in Cash.

Fifty per cent of the capital stock of all banks must be paid up in cash is the ruling of Secretary of State Bruner, in the case of the incorporation of the Bethel Bank, of Bethel, Bath county. Articles of incorporation of the bank were filed the first of the week, but Secretary of State Bruner insisted that an affidavit be filed that 50 per cent of the capital stock, which is \$15,000, had been paid in cash. The stockholders are Jacob Byrd, John Dickens, W. R. Pieratt, Senator John S. Vice, all of Bethel and W. E. Ballinger, of Moorefield. Ballinger is the Cashier of the Moorefield Deposit Bank.

City Council.

The City Council at its adjourned meeting held last Thursday evening, after attending to routine work fixed the levy for the ensuing year at 75 cents on the \$100. worth of taxable property in the City and \$1.50 poll tax. The poll tax was made necessary because of the cancellation of the contract heretofore existing between the City and County regarding the paupers residing within the City, under the terms of which the County levied a poll tax and paid to the City the amount thus collected from citizens of the City. The City, in turn, then provided for its own paupers, and did not levy a poll tax. Under the present levy, the citizens of the City will be required to pay a double poll tax, one to the County and one to the City.

Messrs. J. W. Hinson, Jas. S. Turner and Howard Anderson were re-elected as policemen for a term of six months. All of the gentlemen have made good officers and the people are well pleased with their services.

Married in Indiana.

At Marion, Ind., last Tuesday Mrs. Stella Cooper Gay, of this city, and Mr. Ned Langer, a well known theatrical manager, who has had charge of the company of which Mrs. Gay was leading lady, were quietly married in that city. They will reside at the groom's home in Marion in the future. Mrs. Gay is a daughter of Mrs. J. E. Cooper, of this city, and is a beautiful and accomplished young woman. Her many friends here will join us in best wishes.

This is No Dream.

Congressman John W. Langley was re-nominated by the Republicans of the Tenth District. This is the third time Mr. Langley has been honored with this nomination but from the way the straws are blowing in various parts of the country, it will be a case of the "pitcher going to the well once too often."—Richmond Climax.

Prince Rupert Sold.

Mr. Louis A. Osborn, of Sedalia, Mo., on his recent trip to Kentucky, purchased from R. B. Young, of this city, the well known saddle stallion, Prince Rupert, 887, full brother to the great Chester Dare, 10. He also purchased the two-year-old colt, Robert L., 3424, by Highland Flower, 1662.

Glidden Tour.

Lloyd Frazer, Paul and Stanley Strother, W. H. Berry and G. B. Senff went to Lexington last Tuesday to see the Glidden tourists go through that city. The run was made in the Reo, the car that is represented in this city by Strother & Frazer, in the fast time of one hour and nineteen minutes. A very enjoyable day was spent by the party.

ANTI-RACING MEASURES SIGNED BY HUGHES

**Bills To Prevent Oral Book-Making In New York Are Now
Laws.**

Governor Hughes, of New York, has signed the three Agnew-Perkins bills designed to prevent oral bookmaking at race tracks.

One bill makes it a misdemeanor punishable by imprisonment for a period not more than one year, for a person who makes a book on a horse race, "with or without writing." The law is designed to meet the Court of Appeals decision which it was claimed, permitted oral betting, and takes effect September 1.

Another bill repeals the section of the Percy-Gray racing law, which exempted from personal liability trustees or directors of racing associations, who caused signs to be posted at their tracks to the effect that gambling was prohibited, and who employed officers to enforce the law, even though such gambling was carried on. The third bill makes the anti-gambling section of the penal code apply to race tracks.

The bills were vigorously opposed in the Legislature by the racing interest and at a hearing before the Governor.

The Governor also signed Senator Schlosser's bill repealing the tax of 5 per cent on the gross receipts of trotting and running race meetings.

Mayor Head Announces For Governor.

Mayor W. O. Head, of Louisville, has announced his candidacy for Governor, subject to the action of the Democratic party.

In his announcement Head stated that he favors a more business-like administration with less politics attached to the office of Governor and the establishment of more and better equipped schools.

Redwine is Not a Candidate in The Tenth.

Hon. Matt Redwine, of Sandy Hook, who has been prominently mentioned as a candidate for the Democratic nomination for Congress in the Tenth Congressional District. When accosted by the Democratic leaders as to his probability of making the race for the nomination, he said: "Do you think that I would associate with such fellows as Payne and Aldrich? I had rather wait until Stevenson, Byrd or some of these other fellows go up there and inaugurate a house cleaning."

Hon. Floyd Byrd, of Winchester, the well known criminal lawyer, is being generally boosted by his friends for the seat in Congress and it is generally believed that he will enter the race for the nomination.

Seventeen Have Perfect Record.

Seventeen local school children were tied for the medal offered by Superintendent Hopper for the highest mark in punctuality and attendance during the year just closed, all having a perfect record—an unprecedented occurrence. Miss Mabel Horton received the medal on the final draw, but this detracts no credit or honor from the others. Their names follow: Ennis Hainline, Gene Schlegel, Leo Schlegel, Lena Glick, Catherine Conroy, Vivian Alfrey, Mabel Horton, Carroll Chenault, Abbie Davis, Hurley Curtis, Richard Holland, Malcolm Thompson, Tom Prewitt, Carroll Kelly, Tom Grubbs, Nellie Vice and Lucy Clay Woodford.

DRESS PATTERNS.

SILKS.

Our line of SILKS of excellent quality has never been surpassed. Sales already are much larger than during any entire year.

LINEN GOODS.

In Mercerized Linen, Linen Crash and Poplins we have a full assortment of colors.

SILK HOSE.

The Ladies will be charmed with our Lisle-Silk, embroidered and Silk Hose, in many colors; new Style Corsets.

CURTAINS and DRAPERY.

Curtain and Drapery display on second floor

Hazelrigg & Son

The Horse.

From an annual event the European tours of horse importers have come to be perennial affairs. All the year around buyers are searching, selecting, buying and shipping. Their activities have heavily drained the resources of the little mother countries. Still the good horses come. One man reports from France this spring that he has selected the finest collection of two-year-old Percherons that he ever bought. Another writes that he cannot find a good four-year-old stallion in France. This shows how closely they have been bought in the last few years for the American and Argentine trade. The many superb two-year olds brought over last year reflect the great resources and excellent breeding stock yet owned in France. All fears that the quality of her horses would be reduced by the incessant shipments to this country have not yet been realized. American breeders will some day supply the home demand from their own stables, but the scarcity of pure-bred horses here now and the preponderance of inferior grade stallions as well as mares leave plenty of room for all the good imported horses that may be found. Some large purchases have already been made in France, but the prospect is that the number brought over will not be sufficient to fill the demand. Farmers who plan to make their selections early will have the best opportunity to secure high-class young stallions and fillies.

First Special Judge Under New Law.

Judge W. P. Sandidge, of Russellville, was the first Circuit Judge to feel the effects of the new law, which limits the appointment of Special Circuit Judges, to regular Circuit Judges then on vacation, which raised their salary \$1,200 a year, the Governor having commissioned him to finish out the present term of Court at Elizabethtown, which he is now doing.

The condition of Judge Weed S. Chelf, who was stricken on the bench there last week, continues serious with no radical change.

Moody Ill.

Senator Lodge has introduced in the Senate a bill permitting Associate Judge Moody of the Supreme Court of the United States to retire from office with full pay, notwithstanding he has not served ten years nor is he seventy years old, as required under the existing law. Justice Moody's health is given as a reason for the proposed act.

Trade at Home.

Two wide awake business men, merchant and capitalist, and all who are interested in the city's welfare, should put forth every effort to improve the town and make it a place for homes, to encourage new enterprises that already have a foothold in our midst. One of the best means of encouraging a home concern is to give it home patronage, but there are many in our city who don't do this.

Let it be remembered that every dollar spent in patronizing a home enterprise adds to the prosperity of our little city and with the growth of our city's prosperity comes the increase in value of real estate building.

Surprise Wedding.

Miss Ruby Clark and Mr. Walter Mackie surprised their many friends by being quietly married at the bride's home Wednesday evening, June 15, at 8 o'clock, her foster father, Rev. H. D. Clark, performing the ceremony in the presence of a few relatives.

Miss Clark is a sweet girl of the younger set and is quite pretty and popular.

Mr. Mackie is deserving, popular and industrious.

The young and popular couple has our best wishes for a long and happy married life.

Big Fight.

Governor Gillett's message put a quietus on the Jefferies-Johnson fight scheduled for the 4th, of July. The Governor gives positive and peremptory instructions to the Attorney General to stop the fight. Attorney General Webb, acting under the instructions of the Governor, will file a petition with the Superior Court and ask for a restraining order against the fight principals and promoters. It is understood that the Mayor of San Francisco has said the fight will take place in defiance to the Governors orders, but little credence is put in this report.

Big Potato Crop.

The Jefferson county, Ky., potato crop this year will amount to from 1,000 to 1,200 car loads, being the largest yield and of better quality than for several years past. Cool weather has benefited the potatoes, and there has been about the right amount of rainfall to cause the potatoes to grow rapidly. They have been coming on the market for the past two weeks, being fully two weeks earlier in maturing than usual.